



October 18, 1998

Attention: Office of Petitions
Assistant Commissioner of Patents
Box DAC
Washington, D.C 20231

Dear Assistant Commissioner:

Please accept this letter as an addendum to the Petition for Revival of An Application For Patent Abandoned Unavoidable, Under 37 CFR 1.137(a). It is my intention in this addendum to address the Office Action Summary, (mail date 7/24/97), as well as petition for revival.

1. In reference to drawing: Applicant will submit formal drawing after indication of allowable subject matter has been made.
2. In reference to Claim 1 Rejection - 35 USC-112; please note the following revision:

I claim:

1. A hanging feminine sanitary napkin storage and retrieval bag comprising:
 - a rectangular main housing having front, back and a pair of side panels providing a top access opening to receive feminine sanitary napkins,
 - a lid of rectangular configuration affixed to back panel having an adjoining peripheral edge rim with length to extend downward overlying uppermost position of said front panel and opposing side panels, securing closure by Velcro,
 - a side access opening configured in a rectangular formation and positioned slightly remote to said bottom panel providing access to main housing interior space,
 - a flap secured laterally, between said side panel and front panel, extending horizontally overlying said side access

opening and engaging in closure by Velcro on said back panel,

a strap affixed to upper coordinates of opposing side panels defining a loop over said top access opening providing means for hanging and portability thereof,

a pocket affixed to lowermost position of said side panel with elastic top underside, and pocket(s) in varying dimensions and coordinates affixed to said back panel.

3. In reference to the rejection under 35 U.S.C 112 as being indefinite and without distinction, applicant has redefined the device as "hanging", whereas in prior art most devices with straps are defined and designed foremost for portability the present invention is developed to hang. (Please note revisions on attached application.)

In reference to the employing of alternative language applicant has opted to use the term "strap" and has revised the attached application to reflect such.

In reference to periods (.) being placed improperly throughout claims; periods in claims have been removed and placed properly at the ends of claims.

In reference to the use of the "same means" as inappropriate language in claim 3, applicant has revised this area as follows:

a strap affixed on upper position of opposing side panels defining a loop over said top access opening providing means for hanging and portability, or said strap placed in any variation of coordinates providing "means for hanging and portability".

4. In reference to claim rejection 35 USC 102:
Applicant does not know of any device, publication or person who has indicated in any shape, fashion or form the likes or near likes of any bag:

1. Constructed of fabric, skins or the like, with a strap for hanging.

2. Constructed of fabric, skins or the like with a strap, invented for or with an intended use defined foremost as storage for sanitary napkins.
3. A device with an intended use of storage for a "full consumer size package" of feminine sanitary napkins.
4. Or a device with a side opening to remove one sanitary napkin at a time, while closeable by a flap.
5. Lastly a device with all of the above that provides entry into the main housing without entering the top access opening.

Commissioner has not provided evidence of such a device along with the evidence submitted with this office action. Also, has a first to invent date has been established?

5. In reference to rejection of claim 1 under 35 USC 102(b) to cite patent to McMahan '412.A from 1949 (a cardboard box) is equivalent to the rejection of the automobile because of the covered wagon's position in prior art. McMahan maintains an "inexpensive package of sanitary napkins and...." also "a package incorporating or includinga plurality of napkin..." Today McMahan's equivalent of anticipated development is the plastic package that sanitary napkins are "sold" in. A throw away product just like the cardboard box of McMahan's.

In the hopes of shedding more light on the difference between my invention and McMahan's, I equate it to the difference between the bag that sugar comes in and a unique canister that stores the sugar at home. True it is portable, in that it can be carried to different areas within or out of the home, but not designed to carry sugar around.

Finally, my invention is not intended to be sold as a replacement for the device that consumer's sanitary napkins are "purchased" in, much like the difference between a cereal box and a "Tupperware" container. My invention is the storage device used after the purchase, it is very, very different. One is apples, the other is oranges.

6. In reference to a quotation of 35 U.S.C. 103(a): I argue that no indication of obviousness was applicable when McMahan developed his invention, as I am sure there were many in the packaging, tailoring, handcrafting, scientific fields who obviously did not think to modify

or develop a "primary storage, personal use device" such as mine, in the almost fifty (50) years passed. Again I refer to "Tupperware", and its' probable rejection because sugar is sold in a bag, in Arnold's instance. Or in the case of Primley, "Tupperware" and "Rubbermaid" being rejected because one might decide to store sugar in the plastic casing that tennis balls come in.

7. In reference to the factual inquiries set forth: Most patent application are sought by males. And much of the conveniences that females enjoy today at home are the brain-children of males; but sanitary napkins are an "intimate feminine hygiene product" that males can not experience which may greatly limit their scope of appropriate devices.

McMahan's invention afforded females "packaged" napkins, which until then (1949) were counted out and sold loosely. Then placed in a grocery sack (maybe even burlap) and brought home. He afforded females packaging; to store napkins in when "brought" in the store an experience a male can experience. My invention provides a storage means "in the home", as a bathroom product for when they are needed, an experience totally female.

My invention unlike patent to Barabino #5,046,620, a modification of a purse and patent to Rasmussen a modification on a plastic tissue box, does not seek to modify an existing sanitary napkin "storage bag" or other bag that hangs in the bathroom. It presents to the art the first "bag" of it's kind, most bag with straps are designed for transport, the present invention is designed to hang. It presents a "hanging bag and in the preferred embodiment, a quality fabric bag which can also be constructed of "skins and the like".

My invention discloses definitively a "primary storage" device (..to store one full consumer size package..), developed to not require the user to even open their package of feminine sanitary napkins to store them within. Affording the user the opportunity to not have to divide their purchased package or hide it inconveniently, or dispose the contents in another device.

8. In reference to patent to Arnold '898 and Primley '565: The present invention while providing a top access opening to dispose a complete consumer purchased package of sanitary napkins, does not require to user to open the top access opening, exposing it's contents, in it's intended use the napkins are placed inside, providing the

user access to the contents of the bag from a small, lower side access opening that can be opened and closed quickly and discretely. Unlike the inventions of both Arnold and Primley, which require the user to expose the entire contents of their "boxes" to retrieve the articles disposed within.

The present invention's top access opening is closeable by a lid with an adjoining rim, that descends over the uppermost part of the main housing concealing the contents of the bag, at all angles. This serves a very important role in the use and placement of the present invention.

The "side" access opening of the present invention allows direct access into the main housing, unlike either Arnold's or Primley's invention, which do not have a side access opening or afford the features of discretion or quick and easy access in instances of feminine spontaneity. These long awaited and specifically developed features are much needed in the realm of feminine hygiene care.

Again, Arnold's invention does not have a side access opening, he discloses a front access opening, and with that exposes the entire interior space of his box, rendering his invention inappropriate as a device outside the home in light of spontaneity and inconvenient as a device within the home. The females of today are excited about products that cater to their needs, especially for their menses and a cardboard box invented by a man in 1949, does not fulfill that need.

In the realm of obviousness Arnold's invention is developed as a case to be carried in hand by a man. Unlike the present invention which was developed, by a woman who shares the needs of woman; to hang, where it is needed for when it is needed. The strap and the weight gives it the potential of being portable.

In the arts, the bands that Arnold has placed in the "front flap" of his invention are called straps. They are wide with snaps and of a stiff nature. In the arts they are used to secure small metal devices such as razors, nail files, combs brushes and the like and are not intended as a carrier or hanging apparatus. Further, in the arts the term "toilet" is representative of articles used in washing, dressing, shaving, making face and hair. The present invention is more like a feminine first aid kit of necessities like bandages (sanitary napkins) and menstrual related supplies, than a travelers case that stores enhancement ("toiletries) like perfume, manicure, and

grooming devices. While Arnold's invention may possibly be unisex, storing perfumes or aftershave, razors or lipstick, nail files and the like, my invention is solely for feminine cycle related use.

In the 1927 patent to Primley, a golf ball carrier, a strap is not provided, a "belt" is. This device is designed to be "worn" around the waist, when out in public, affording the user access to golf balls and related supplies. The user of this invention like that of Arnold's, must open the top access flap and expose it's inner contents in it's intended use. The present invention affords the user access to the main housing through a small lower side access opening which exposes only one napkin at a time. Also, like Arnold, Primley refers to her invention as "a box". A "box" is not a "bag", a "strap" is not a "belt", her invention is to be worn around the waist, the present invention is to hang on a hook, door knob, or hanger, etc. The present invention and the two cited as reason for rejection are like the difference between a motorcycle and a boat, while both have seats and can transport the differences are a far cry from each other.

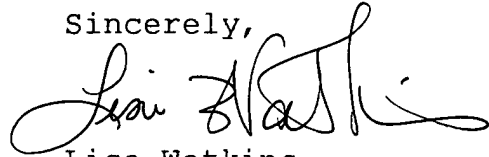
Finally, under 35 U.S.C 103(a), Arnold's toilet case is a box to store articles of luxury, while the present invention is a bag to store articles of necessity. Arnold's invention is intended to be carried around in one's hand providing no strap or handle for transport. The present invention provides a strap and is intended for hanging. While both of our inventions have pockets, Arnold's invention reveals no pockets when in a closed orientation the present invention reveals pockets while in a closed orientation. Primley's invention does not disclose a strap representative of a carrying device she discloses a "cross strap or pocket" inside the box ... "which is adapted to retain any small article" She also discloses a box rather than a bag. The present invention is not a carrier it is more representative of a holder to be placed (hung) in a stationary place, yet because of it's weight and strap it "allows" portability.

What is obvious is that Arnold's invention is a modification of Primley's. In that he, eliminated the belt and modified the box, but he was assuredly issued patent# 2335898 sixteen years later. The present invention is obviously not a box, obviously not carried around the waist, obviously not related to grooming and toiletry storage. It is a hanging feminine sanitary napkin storage and retrieval bag.

I close siting issuance to Steinberg #5123467 on June 23, 1992 and 15 years former, the prior art of Cho #4050493, September 27, 1977 as a most definitive description of obviousness. However, issuance was granted in that #4050493 is a handbag with a sound device (radio) and #5123467 is a diaperbag with a sound device.

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Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa Watkins", written in black ink.

Lisa Watkins
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